



CRL OP(MD). No.2833 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.2833 of 2025

Senthilkumaran

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Woraiyur Police Station, Trichy City.
Crime No. 955/2024.

... Respondent/Complainant

For Petitioner : Mr.M. Suresh, Advocate

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 955 of 2024 on the file of the respondent-Police.



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ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 12.02.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 praying to grant an order of pre-arrest bail.

2. The petitioner/Sole Accused apprehends arrest at the hands of the respondent-Police for the offences punishable under Sections 5 and 7(3) of Lottery Regulation Act, 1998 and Sections 318(4) and 112 of Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.955 of 2024 on the file of the respondent-police.

3. The case of the prosecution is that on 23.12.2024, the defacto complainant purchased lottery tickets from the petitioner. Thereafter, the prize was won by the lottery ticket. On 20.11.2024, at about 10:00 a.m., when the defacto complainant asked the prize amount to the petitioner, he refused to give the prize amount of Rs.2,000/- to the defacto complainant. Hence, this case.

4. Mr.M. Suresh, the learned counsel appearing for the petitioner, submits that this is the second pre-arrest bail application filed by the petitioner and the petitioner



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is an innocent person. He however submits that the petitioner is ready to abide by the conditions that may be imposed by this Court. Hence, he prays for grant of pre-arrest bail to the petitioner.

5. Mr.R.Meenakshi Sundaram, the learned Additional Public Prosecutor appearing for the respondent-Police, submits that the petitioner has ten previous cases. He further submits that if this Court grants pre-arrest bail to the petitioner, he may commit the similar offence again. Hence, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. The petitioner has permanent residence and hence, there is less possibility of absconding. Considering the same and also considering the facts and circumstances of the case and the nature of offence, and with a view to give one more opportunity to the petitioner to reform himself, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions:

(i) The petitioner shall be released on bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate-IV, Trichy, within a



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period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the learned Judicial Magistrate-IV, Trichy;

(ii) Thereafter, the petitioner shall appear and sign before the respondent-Police daily at 10.00 a.m. and 5.00 p.m., until further orders;

(iii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate-IV, Trichy, shall obtain a copy of any one of identity proofs to ensure their identity;

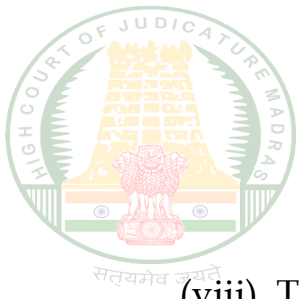
(iv) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate-IV, Trichy;

(v) The petitioner shall make himself available for interrogation by a police officer as and when required;

(vi) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(vii) The petitioner shall not leave India without previous permission of the

Court;



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(viii) The petitioner shall not, directly or indirectly, cause any threat to the defacto-complainant and witnesses and shall not tamper the evidence; and

(ix) On breach of any of the aforementioned conditions, the learned Judicial Magistrate-IV, Trichy, or Trial Court as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon-ble Supreme Court in *P.K. Shaji vs. State of Kerala* [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated *supra*.

sd/-
19/02/2025

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/03/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

APD
TO

1 THE JUDICIAL MAGISTRATE-IV
TRICHY

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
WORAIYUR POLICE STATION, TRICHY CITY.



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4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.SURESH, Advocate (SR-1904[I] dated 20/02/2025)

ORDER

IN

CRL OP(MD) No.2833 of 2025

Date :19/02/2025

SS/SKN/SAR- /03/03/2025/ 6P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023